



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,214	07/25/2006	Germano Leichsenring	2006-1209A	7022
52349 7590 02/24/2009 WENDEROTH, LIND & PONACK L.L.P. 1030 15th Street, N.W. Suite 400 East Washington, DC 20005-1503				
EXAMINER				
CHANG, TOM Y				
ART UNIT		PAPER NUMBER		
2456				
MAIL DATE		DELIVERY MODE		
02/24/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/587,214

**Applicant(s)**

LEICHSENRENG ET AL.

**Examiner**

TOM Y. CHANG

**Art Unit**

2456

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 14-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to communication received on 01/29/2009. Claims 1 - 11, 14-18 have been amended and claim 19 remains as originally filed. Claims 1-11, 14-19 are currently pending.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 8- 11, 14, and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Arazi et al US 2001/0041594, hereafter Arazi.
4. Regarding claim 1, Arazi teaches an access control device (**Figure 3B Switch 129**) for controlling an access from a resource use device(**Figure 2 handset 133**)to a resource providing device(**Figure 2 Base Station 124**) for using a resource provided by the resource providing device(**Figure 2 Communication Link 134**). Arazi teaches that the access control device controls the communication of the handset and base station “**Communication links 130, 131, 132 connect the Base Stations 123, 124, 125, respectively, with a Central Switch (hereinafter "Switch") 129. These**

**communication links enable the Switch 129 to control the operation of the Base Stations” (Paragraph 74)].** This clearly means that access control device contains a communication unit for communicating with the resource use device and the resource providing device. Arazi teaches an access permission unit for instructing the resource providing device via the communication unit to permit an access from the resource use device and a storage unit for storing information on the resource use device which has been permitted to access by the access permission unit as management information [“**If the arriving message is a request to initiate a new call (step 231, “Y”), the Switch checks if the call is intended to a handset connected to the WPBX (step 232). This is done by checking its “Connections Table”. (Paragraph 103)].** It is clear that in order to access this connections table the access control device must have some form of memory to store the information. Arazi teaches that the switch also serves as an existence check unit for checking a communication state with the resource use device the management information of which is stored in the storage unit, via the communication unit; [“**The Switch checks if it receives indication that the call is connected (step 255). If the call is connected, (step 255, “Y”), the status of the call is updated in the Calls Table (step 256). Otherwise (step 255, “N”), the call is removed from the Calls Table (step 257). (Paragraph 102)]** and an access discard unit for instructing the resource providing device via the communication unit to reject an access from the resource use device, communication with which is determined to be disconnected by the existence check unit.

**[“If the connection via the Gateway succeeds (step 236, “N”), it is whether the call is connected determined (step 237). If the call is**

connected, (step 237, "Y"), the Switch requests from the originating Base Station to transfer the call to the Switch (step 238), and waits for connection with originating Base Station (steps 239, 240). If connection succeeds, and the call is connected (step 242, "Y"), the call is added to the "Calls Table" (step 243), and the call is routed to the Gateway (step 244). If connection fails (step 240, "Y"; or step 242, "N"), the connection with the Gateway is disconnected (step 241). (Paragraph 104)]

5. Regarding claim 10, Arazi teaches a communication unit for communicating with the access control device and the resource use device [**"FIG. 5 illustrates a call setup procedure performed by an originating Base Station (e.g. 123) when a handset (e.g., 121) that is connected to it, tries to initiate a call."** (Paragraph)] . It is clear that in order to perform this call setup procedure the resource providing device contains a communication unit. Arazi teaches that the base station uses a Base Station Connection Table [**"In a next step 152, the originating Base Station (e.g., 123) checks whether the destination handset (e.g., 133) is in its "Base Station Connection Table""** (Paragraph 83)]. This clearly indicates that there must be some storage unit for storing information on the resource use device intended by an instruction given by the access control device via the communication unit as management information. Arazi teaches an access permission unit for permitting an access from the resource use device, the management information of which is stored in the storage unit

[**"If, there is not a timeout (step 166, "N"), and a reply from the destination Base Station is received, the originating Base Station checks if the call is connected (step 167), and then connects the originating handset (step 168), and updates the Switch about the success of the call (step 169)." (Paragraph 85)**]

Arazi teaches an existence check unit for checking a communication state with the access control device via the communication unit

**["If, there is not a timeout (step 166, "N"), and a reply from the destination Base Station is received, the originating Base Station checks if the call is connected (step 167), and then connects the originating handset (step 168), and updates the Switch about the success of the call (step 169)." (Paragraph 85)]**

and an access rejection unit for rejecting an access from the resource use device permitted to access by the access control device, communication with which is determined to be disconnected by the existence check unit

**["Then the originating Base Station performs a procedure similar to that described hereinabove of setting a timeout (step 155), waiting for the Switch to reply (step 156), connecting (step 158) or disconnecting (step 177) the call, and updating the Switch (steps 159 or 178)." (Paragraph 88)]**

Arazi teaches that the information on the resource use device includes information for identifying the resource use device and information for identifying the access control device which has permitted the resource use device to access["**Send new connection information (handset ID, Base Station ID, handle to low-level protocol instance) to Switch" (Paragraph 304)**]. The switch tells the base station to reject access by not replying to the base state by the time the timeout period ends(**Figure 7 Step 236**). The switch also tells the base station to store the connection information by virtue of allowing the call to connect(**reply before timeout**) ie sending back the destination base station in the case that the call must be routed to another base station (**¶105**).

6. Regarding claim 18, most of the limitations in claim 18 have already been discussed as they are covered by the discussion of claims 1 and 10, above.

Furthermore Arazi teaches the limitation of claim 18 that recites an access from the

resource use device intended by the instruction given by the access control device via the resource providing communication unit.

**[“If the source is another Base Station, the Switch send to the originating Base Station the address of the destination Base Station, and adds the call to the "Calls Table". If the call arrived from the Gateway the Switch tries to connect the call to the destination Base Station (step 245). If it succeeds the call is added to the "Calls Table" (step 252), the call is transferred to the destination (step 253). If it fails the connection with the Gateway is disconnected.”  
(Paragraph 105)]**

By not replying to the base station the switch instructs the base station to reject the call **( Figure 7 Steps 240,241)**. The switch also tells the base station to store the connection information by virtue of allowing the call to connect(**reply before timeout**) ie sending back the destination base station in the case that the call must be routed to another base station **(¶105)**.

7. Regarding claims 2 and 11, Arazi teaches that the access discard unit deletes the information on the resource use device, communication with which is determined to be disconnected, from the storage unit. Arazi teaches that this is done for both the resource control device **[“The Switch checks if it receives indication that the call is connected (step 255). If the call is connected, (step 255, "Y"), the status of the call is updated in the Calls Table (step 256). Otherwise (step 255, "N"), the call is removed from the Calls Table (step 257) (Paragraph 102)],** and the resource providing device **[“Send new connection information (handset ID, Base Station ID, handle to low-level protocol instance) to Switch” (Paragraph 304)].**

8. Regarding claims 3 and 4 Arazi teaches wherein the information on the resource use device is information for identifying the resource use device and information for

identifying the resource providing device for accepting an access from the resource use device..

**[“The Switch (129) maintains the “Calls Table”, which contains the status and information about all the active calls being handled by the WPBX. The “Calls Table” comprises the following information:” (Paragraph 111)]**  
**[“4) “Calling Number Identification (CNID)”, the number of the calling party, if available.” (Paragraph 115)]**  
**[“6) “Originating Base Station Identification” for calls from internal origin” (Paragraph 117)]**

9. Regarding claims 5, 14 and 19, Arazi teaches the information on the resource use device includes information on a command issued by the resource use device when accessing the resource providing device(**Figure 5 Step 151**) **[“In summary, the call setup procedure performed by an originating Base Station (e.g., 123) is that, first, the originating Base Station determines whether a call request from an originating handset” (Paragraph 89)]**

10. Regarding claim 8, Arazi teaches an existence check response unit for responding to the resource providing device via the communication unit when receiving a communication state check request from the resource providing device via the communication unit **[“Switch checks if it receives indication that the call is connected (step 255). If the call is connected, (step 255, “Y”), the status of the call is updated in the Calls Table (step 256). Otherwise (step 255, “N”), the call is removed from the Calls Table (step 257).” (Paragraph 102)]**

11. Regarding claims 9, and 17 Arazi teaches an access control device according to claim 1, wherein: the communication unit communicates with the resource use device



via wireless communication [**"As used herein, "Mobile Units" are devices communicating wirelessly with (also referred to as "connected to") Base Stations." (Paragraph 69)]**. The switch is connected to the base station also by wireless links [**"These communication links enable the Switch 129 to control the operation of the Base Stations and to participate in the higher levels of the communication protocols, as described in greater detail hereinbelow, and may be RF links or land lines" (Paragraph 74)]**. Wireless communication inherently has a limited range and thus Arazi clearly teaches the communication range by the wireless communication is limited to a predetermined range.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 6, 7, 15, and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Arazi as applied to claims 1 and 10 above, and further in view of Xu et al 6,151,628, hereafter Xu..

14. Regarding claim 6, Arazi teaches all the limitation of claim 1 above. Arazi does not teach that the access permission unit notifies the resource providing device of the information on the resource use device to be permitted to access. Xu teaches that the

access permission unit notifies the resource providing device of the information on the resource use device to be permitted to access, via the communication unit (**Figure 6 Access Reply 104**). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Arazi with Xu. The reason for this modification would be to provide information needed by the resource providing device so that a connection can be made between the resource use device and another device on the network.

15. Regarding claims 7 and 15, the teaching of Arazi have been discussed in reference to claims 1 and 10 above. Arazi does not teach that the access control device sends information to the resource providing device to indicate that the access should be denied. Xu teaches that the access discard unit notifies the resource providing device of the information on the resource use device, communication with which is determined to be disconnected, and when instructed by the access control device via the communication unit to reject an access from the resource use device, the access rejecting unit rejects an access from the resource use device intended by the instruction(**Figure 8 Access-Reject Message**) [**"When the authentication server 32A determines hat the remote user is not authorized, an Access-Reject message is sent from the authentication server 32 to the communications chassis 20"** (**Column 12 Lines 35-38**)]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Arazi's teachings with that of Xu. The reason for this modification would be to inform the resource providing device when it should deny connecting a call because the resource use device does no have the right

credentials. By not replying to the base station the switch instructs the base station to reject the call ( **Figure 7 Steps 240,241**).

16. Regarding claim 16, Arazi teaches the access rejecting unit deletes the information on the resource use device intended by the instruction from the storage unit [**"Remove connection from "Base Station Connections Table"."** (Paragraph 308)].

### **Applicant's Arguments**

17. The applicant's amendments have resolved any issues brought up concerning intended use language. Thus the examiner's claim objections are hereby withdrawn.

18. The applicant argues the following in the remarks section of the applicant's reply:

- a. However, as seen in Figure 2, the base station 124 does not "provide" the communication link 134; as such, Arazi does not meet the limitation "using a resource provided by the resource providing device" recited claim 1.
- b. However, as seen in Figure 2, switch 129 does not communicate with handset 133; as such, Arazi et al. does not meet the limitation "a communicating unit that communicates with the resource use device and the resource providing device."
- c. Arazi et al. does not meet the limitation of claim 1 "an access permission unit that instructs the resource providing device via the communication unit to permit an access from the resource use device. Still further regarding claim 1, the Office Action asserts that the switch 129 includes an access discard unit for

instructing the resource providing device (asserted as base station 124) to reject access from the resource use device (asserted as handset 133). No passage could be found in Arazi et al. disclosing the switch 129 instructing the base station 124 to reject access from the handset 133, and no passage could be found disclosing any base station rejecting access from any handset.

19. Regarding a, it is clear that the link in figure 2 describes a call connection between the handset and another handset or another handset via another network such as PSTN. A call is reasonably construed as a resource and is clear that the base station provides the means by which the handset makes such a call.

20. Regarding b, it is clear that the switch acts as a gateway between a call originating handset and base station to a destination handset and base station. It is clear that there must be a communication unit on the Switch in order to act as the gateway. The claim as written does not limit the connections to be direct connections.

21. Regarding c, the examiner point the applicant to figure 5-7 describing interaction of the bases stations and switches in processing a call. As described above, in the examiner's rejection based on prior art. The switch send instructions in the form of sending a destination base station back to the originating base station. This instruction informs the base station to accept the call because it indicates that the destination handset has been found. Furthermore by virtue of the timeouts, the lack of a reply from the switch instructs the base station to reject the call. This is an reasonable interpretation of what is meant by instructing the resource providing device to reject an

access from the resources uses device because the claim as written provides no details as to how the access control device provides such reject instruction (ie reject message).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **TOM Y. CHANG** whose telephone number is (571)270-5938. The examiner can normally be reached on Monday - Thursday from 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit, can be reached on (571) 272-3913. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/T. Y. C./  
Examiner, Art Unit 2456  
02/15/2009

/Kevin Bates/  
Primary Examiner, Art Unit 2456